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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER JOO, JOSHUA	
			ART UNIT 2154	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/083,151

**Applicant(s)**

TOYOTA ET AL.

**Examiner**

JOSHUA JOO

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 February 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6-12 and 14-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-4, 6-12 and 14-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☒ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

***Detailed Action***

1. This Office action is in response to communication dated 02/21/2008.

Claims 1-4, 6-12, 14-20 are presented for examination.

**Continued Examination Under 37 CFR 1.114**

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/21/2008 has been entered.

**Response to Arguments**

3. Applicant's arguments filed 02/28/2008 have been fully considered but they are not persuasive. Applicant argued that:

4. (1) Sakamaki does not teach or suggest allowing a user to post to a forum by replying to an email. Instead, Sakamaki discloses using a forum list, selecting a forum name, and selecting a "post" icon. Therefore, Sakamaki does not teach of the second subscription type allowing a user to post a reply to the second virtual community by replying to a delivered email message containing a new posting.

5. In response, Examiner respectfully disagrees that Sakamaki does not teach the feature. Sakamaki teaches of registering to receive email message containing a new posting and delivering email message containing a new posting to a user (Paragraph 0075. "the mail format" refers to the system in which there is a new comment posted to the forum, and as the posted comment is registered in server (2), the registration contents are successively sent as e-mails." Paragraph 0084. "the user who sets the "e-mail format" as the releasing format converts the registered posted comment data to e-mail, which is loaded

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and stored in region of corresponding user of mail box"). Sakamaki also teaches that a user may select a forum name and post data (Paragraph 0081. "the forum list (Figure 22(a)) is displayed... User A selects the forum name for posting such as "AAB" and clicks "post". Paragraph 0082. "User A inputs any contents to the input, and after the end of input, user A clicks "post").

Therefore, Sakamaki teaches of delivering email message containing a new posting to a user, and a user being able to post to forum. After receiving an email message, it is inherent that a user may post a new posting to a forum (the second virtual community) in response to the receiving the posting in the email. The new posting by the user is a reply to the delivered email message. The "email format" (the second subscription type) allows a user to receive a delivered email messages, and therefore, allows the user to post in reply to receiving the email message.

#### **Claim Rejections - 35 USC § 101**

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-4, 6-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
8. Applicant is seeking to patent a system comprising of means. In the specification of the instant application, Applicant intends the invention to be implemented by software program (page 23, lines 3-6; page 38, lines 14-16). Therefore, one of ordinary skill in the art may interpret the claimed means as software means to implement the invention, and as such, the claimed system is directed to a software system. A software system does not meet one of the four categories of invention and is not statutory. Specifically, a software system is not a series of steps or acts and thus is not a process. A software system is not a physical article or object and as such is not a machine or manufacture. A software system is not a combination of substances and therefore not a composition of matter.

**Claim Rejections - 35 USC § 112**

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 9-12, 14-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- i) Regarding claims 9-10, 14-15, it is unclear if the limitation following the “wherein” clauses are part of the claimed invention because the limitation does not set forth required and positive steps that are to be performed. See MPEP 2111.04

**Claim Rejections - 35 USC § 103**

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1, 4, 9, 12, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over a translation of Applicant's submitted IDS, Katsuya Sakamaki, JP 2000-187631 (Previously cited, Katsuya hereinafter), in view of Bunney et al. US Publication #2002/0059244 (Bunney hereinafter) .

13. As per claims 1, 9, and 17, Katsuya teaches substantially the invention as claimed including a community-based collaborative knowledge system which can be connected to a plurality of client terminals via a network, and which supports knowledge accumulation by categorizing and accumulating messages posted from each client terminal to a plurality of virtual communities, the plurality of virtual

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communities comprising at least a first virtual community and a second virtual community, the system comprising:

access control means for making user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Paragraphs 0045-0047. Authentication data, i.e. user id and password. Paragraph 0081. User posts content.); and

community processing means for managing the plurality of virtual communities (Paragraphs 0030-0031, 0033. Forum participation and management tables, i.e. forums and participants) and for categorizing and accumulating messages into a plurality of topics (fig. 22; paragraphs 0033; 0071. Comments are posted for specific forum names.), the messages being posted to the plurality of virtual communities from the client terminals (Page 23, paragraph 0083. Posted comment.), the client terminals being granted access permission for specified topics by said access control means (fig. 22; page 24, paragraphs 0088-0089. Post/read messages for selected forum. Paragraph 0072. Registration for membership of forum.), said community processing means including:

message subscription type setting means for setting a first subscription type for the first virtual community, the first subscription type indicating the way a user subscribes to the categorized and accumulated messages in accordance with an instruction from the user (Paragraphs 0074-0075. Releasing format of "mail format" or "web format").),

wherein one of the plurality of client terminals displays a window comprising a list of the first virtual community and a second virtual community (Paragraphs 00071-0072. Display forum list.), and

wherein the "system maintains" the first subscription type is browsing by a web browser for the first virtual community, and indicates a second subscription type is using an email client for the second virtual community (fig. 8; Paragraphs 0031-0032; 0075. Registered user. Forums and corresponding release formats, either "e-mail format" or "web format").), the second subscription type allowing a user to post a reply to the second virtual community by replying to a delivered email message containing a new

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posting (Paragraph 0075; 0084. For "mail format", a posted comment is sent as email. Paragraph 0081-0082. User posts to a forum. It is inherent that a user may post to a forum regarding the posted comment in reply to receiving the email via the "mail format" registration.).

14. Katsuya does not specifically teach of a client terminal displaying the first and second subscription type.

15. Bunney teaches of a system for registering to an online service for accessing forums, wherein a registered user may view and modify the user's profile/settings (Paragraph 0061-0063).

16. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Katsuya and Bunney to display a user's profile/settings as taught by Bunney such that a user's subscription types as taught by Sakamaki are displayed to the user. The motivation for the suggested combination is that Bunney's teachings would allow a user to view and edit the user's preferences for online service.

17. As per claims 4 and 12, Katsuya teaches a system according to claim 1, wherein said message subscription type setting means set a subscription type of each user for each individual virtual community (fig. 21; paragraph 0074-0075. Registration of forum comprises selecting a subscription type.).

18. Claims 2-3, 10-11, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuya, in view of Guheen, US Patent #6,519,571 (Guheen hereinafter).

19. As per claims 2, 10, and 18, Katsuya teaches substantially the invention as claimed including a community-based collaborative knowledge system which can be connected to a plurality of client terminals via a network, and which supports knowledge accumulation by categorizing and accumulating messages posted from each client terminal to a plurality of virtual communities, the plurality of virtual

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communities comprising at least a first virtual community and a second virtual community, the system comprising:

access control means for making user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Paragraphs 0045-0047. Authentication data, i.e. user id and password. Paragraph 0081. User posts content.); and

community processing means for managing the plurality of virtual communities (Paragraphs 0030-0031, 0033. Forum participation and management tables, i.e. forums and participants), and for categorizing and accumulating messages into a plurality of topics (fig. 22; paragraphs 0033; 0071. Comments are posted for forum names.), the messages being posted to the plurality of virtual communities from the client terminals, the client terminals being granted access permission for specified topics by said access control means (fig. 22; page 24, paragraphs 0088-0089. Post/read messages for selected forum. Paragraphs 0072; 0098. Registration for membership of forum.), said community processing means including:

message subscription type setting means for setting a first subscription type for the first virtual community, the first subscription type indicating the way a user subscribes to the categorized and accumulated messages (Paragraphs 0074-0076. Set releasing format as “mail format” or “web format”), and

display means for displaying a window comprising a list of the first virtual community and the second virtual community (Paragraphs 00071-0072. Display forum list.),

wherein the “system maintaining” the first subscription type is browsing by a web browser for the first virtual community, and indicates a second subscription type is using an email client for the second virtual community (fig. 8; Paragraphs 0031-0032. Registered user. Forums and corresponding release formats, either e-mail or web.), the second subscription type allowing a user to post a reply to the second virtual community by replying to a delivered email message containing a new posting (Paragraph 0075;



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0084. For "mail format", a posted comment is sent as email. Paragraph 0081-0082. User posts to a forum. It is inherent that a user may post to a forum regarding the posted comment in reply to receiving the email.).

20. Katsuya does not specifically of setting the first subscription type in accordance with an instruction from a predetermined administrator and the displayed window indicating the first subscription type and second subscription type.

21. Guheen teaches a system for management of user profiles, wherein an administrator may moderate user membership in forums and an user or administrator may modify user profiles/preferences (col. 207, lines 40-61; col. 210, lines 31-45; col. 261, lines 41-48).

22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Katsuya and Guheen for an administrator to modify user profile/preference and manage user membership of forums as taught by Guheen such that the subscription type as taught by Katsuya is set by the administrator. It would have been also obvious to one of ordinary skill in the art combine the teachings for an administrator to view user profile/preference such that the first subscription type and second subscription as taught by Katsuya are viewed by the administrator or a user. The motivation for the suggested combination is that Guheen's teachings would allow moderation of access to forums and allow an administrator or user to manage user information.

23. As per claims 3 and 11, Katsuya does not specifically teach a system according to claim 2, wherein the administrator is determined for each individual virtual community.

24. Guheen teaches a system for management of user profiles, wherein an administrator moderates (is determined) for forums (col. 207, lines 40-61; col. 210, lines 31-45; col. 261, lines 41-48).

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25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Katsuya and Guheen to determine an administrator for forums. The motivation for the suggested combination is that Guheen's teachings would allow a user to regulate and manage forums.

26. Claims 6, 8, 14, 16, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuya, in view of Smith, US Patent #6,594,673 (Smith hereinafter) and Bunney.

27. As per claims 6, 14, and 19, Katsuya teaches substantially the invention as claimed including a community-based collaborative knowledge system which can be connected to a plurality of client terminals via a network, and supports knowledge accumulation by categorizing and accumulating messages posted from each client terminal to a plurality of virtual communities, the plurality of virtual communities comprising at least a first virtual community and a second virtual community, the system comprising:

access control means for making user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Paragraphs 0045-0047. Authentication data, i.e. user id and password. Paragraph 0081. User posts content);

message subscription type setting means for setting a first subscription type for the first virtual community, the first subscription type indicating the way a user subscribes to the categorized and accumulated messages in accordance with an instruction from the user (Paragraphs 0074-0076. Set releasing format as "mail format" or "web format"); and

community processing means for managing the plurality of virtual communities (Paragraphs 0030-0031, 0033. Forum participation and management tables, i.e. forums and participants), and categorizing and accumulating messages posted, to the plurality of virtual communities, from the client terminals, the client terminals being granted access permission for specified topics by said access control

means (fig. 22; page 24, paragraphs 0088-0089. Post/read messages for selected forum. Paragraphs 0072; 0098. Registration for membership of forum.), said community processing means including:

reply message processing means for, when a reply email message used to post a reply message is sent back from the client terminal in response to an email message used to deliver the categorized and accumulated message to a subscriber (Paragraphs 0089; 0099-0101. Reply to posted comment.), automatically determining a virtual community to which the reply message should belong, and categorizing and accumulating the reply message (Paragraph 0101. Associate reply to original contents. Paragraph 0098. Contents under forum title.),

wherein one of the plurality of client terminals displays a window comprising a list of the first virtual community and a second virtual community (Paragraphs 00071-0072. Display forum list.), and

wherein the "system maintaining" the first subscription type is browsing by a web browser for the first virtual community, and indicates a second subscription type is using an email client for the second virtual community (fig. 8; Paragraphs 0031-0032. Registered user. Forums and corresponding release formats, either e-mail or web.), the second subscription type allowing a user to post a reply to the second virtual community by replying to a delivered email message containing a new posting (Paragraph 0075; 0084. For "mail format", a posted comment is sent as email. Paragraph 0081-0082. User posts to a forum. It is inherent that a user may post to a forum regarding the posted comment in reply to receiving the email.).

28. Katsuya teaches of automatically determining a virtual community to which the reply message should belong but not specifically by analyzing a message header of the reply email message. Katsuya also does not specifically teach of the displayed window indicating the first subscription type and the second subscription type.

29. Smith teaches a system for collaborative information, wherein headers of postings are analyzed for routing and categorization (col. 7, lines 34-46).

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30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Katsuya and Smith to analyze a message header for routing and categorization of postings as taught by Smith when determining a virtual community to which the reply message should belong as taught by Katsuya. The motivation for the suggested combination is that Smith's teachings would provide designated fields for categorizing messages and provide information descriptive of the postings.

31. Katsuya and Smith still do not specifically teach of the displayed window indicating the first subscription type and the second subscription type.

32. Bunney teaches of a system for registering to an online service for accessing forums, wherein a registered user may view and modify the user's profile/settings (Paragraph 0061-0063).

33. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine suggested system of Katsuya and Smith with the teachings of Bunney to display a user's profile/settings as taught by Bunney such that a user's subscription types as taught by Sakamaki are displayed to the user. The motivation for the suggested combination is that Bunney's teachings would allow a user to view and edit preferences for the online service.

34. As per claims 8 and 16, Katsuya teaches a system according to claim 6, wherein said reply message processing means further automatically determines a topic to which the reply message should belong (Paragraphs 0089; 0099-0101. Reply to posted comment. Paragraph 0101. Associate reply to original contents. Paragraph 0098. Contents under forum title.).

35. Claims 7, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuya, in view of Knight et al. US Patent #6,571,234 (Knight hereinafter) and Bunney.

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36. As per claim 7, 15, 20, Katsuya teaches substantially the invention as claimed including a community-based collaborative knowledge system which can be connected to a plurality of client terminals via a network, and supports knowledge accumulation by categorizing and accumulating messages posted from each client terminal to a plurality of virtual communities, the plurality of virtual communities comprising at least a first virtual community and a second virtual community, the system comprising:

access control means for making user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Paragraphs 0045-0047. Authentication data, i.e. user id and password. Paragraph 0081. User posts content.);

message subscription type setting means for setting a first subscription type for the first virtual community, the first subscription type indicating the way a user subscribes to the categorized and accumulated messages in accordance with an instruction from the user (Paragraphs 0074-0076. Set releasing format as “mail format” or “web format”.); and

community processing means for managing the plurality of virtual communities (Paragraphs 0030-0031, 0033. Forum participation and management tables, i.e. forums and participants), and categorizing and accumulating messages posted, to the plurality of virtual communities, from the client terminals, the client terminals being granted access permission for specified topics by said access control means (fig. 22; paragraphs 0088-0089. Post/read messages for selected forum. Paragraphs 0072; 0098. Registration for membership of forum.), said community processing means including:

reply message processing means for, when a reply email message used to post a reply message is sent back from the client terminal in response to an email message used to deliver the categorized and accumulated message to a subscriber (0089; 0099-0101. Reply to posted comment.), automatically determining a virtual community to which the reply message should belong, and categorizing and

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accumulating the reply message (Paragraph 0101. Associate reply to original contents. Paragraph 0098. Contents under forum title.),

wherein one of the plurality of client terminals displays a window comprising a list of the first virtual community and a second virtual community (Paragraphs 00071-0072. Display forum list.), and

wherein the system "maintains" the first subscription type is browsing by a web browser for the first virtual community, and indicates a second subscription type is using an email client for the second virtual community (fig. 8; Paragraphs 0031-0032. Registered user. Forums and corresponding release formats, either e-mail or web.), the second subscription type allowing a user to post a reply to the second virtual community by replying to a delivered email message containing a new posting (Paragraph 0075; 0084. For "mail format", a posted comment is sent as email. Paragraph 0081-0082. User posts to a forum. It is inherent that a user may post to a forum regarding the posted comment in reply to receiving the email.).

37. Katsuya teaches of automatically determining a virtual community to which the reply message should belong but not specifically by analyzing a subject of the reply email message. Katsuya also does not specifically teach of the displayed window indicating the first subscription type and the second subscription type.

38. Knight teaches a system of subscribing to a message board, wherein postings are classified by analyzing the subject matter of the posting (col. 12, lines 6-27).

39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Katsuya and Smith to analyze the subject matter of a posting as taught by Knight when determining a virtual community to which the reply message should belong as taught by Katsuya. The motivation for the suggested combination is that Knight's teachings would provide an explicit method of determining where the posting should be classified and placed.

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40. Katsuya and Knight still do not specifically teach of the displayed window indicating the first subscription type and the second subscription type.

41. Bunney teaches of a system for registering to an online service for accessing forums, wherein a registered user may view and modify the user's profile/settings (Paragraph 0061-0063).

41. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine suggested system of Katsuya and Knight with the teachings of Bunney to display a user's profile/settings as taught by Bunney such that a user's subscription types as taught by Sakamaki are displayed to the user. The motivation for the suggested combination is that Bunney's teachings would allow a user to view and edit preferences for the online service.

### **Conclusion**

42. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

44. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

45. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available

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through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/J. J./

Examiner, Art Unit 2154

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2154